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JAN 12 2009

In re Application of :  
Neil John Graham :  
Application No. 10/733,728 : ON PETITION  
Filed: December 12, 2003 :  
Attorney Docket No. 51,179 :

This is a decision on the petition to revive under  
37 CFR 1.137(b), filed November 20, 2008.

The petition under 37 CFR 1.137(b) is GRANTED.

The above-identified application became abandoned for failure to  
timely file a reply in response to the Notice of Non-Compliant  
Amendment mailed March 20, 2008. This Notice set an extendable  
period for reply of one (1) month. No reply having been  
received, the application became abandoned on April 21, 2008. A  
Notice of Abandonment was mailed on September 12, 2008.  
Applicant filed a petition to revive under 37 CFR 1.137(a) on  
October 10, 2008. However, the petition was dismissed in a  
decision mailed on October 31, 2008.

With the instant petition, applicant made the proper statement of  
unintentional delay, paid the petition fee, and submitted the  
required reply in the form of a response to the Notice of Non-  
Compliant Amendment.

The application is being forwarded to Group Art Unit 3732 for  
consideration of the reply, filed December 4, 2008.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in black ink, appearing to read "Cliff Congo", with a stylized flourish at the end.

Cliff Congo  
Petitions Attorney  
Office of Petitions